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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JEREMY JOHN HALGAT, an individual,

Plaintiffs.

VS.

UNITED STATES OF AMERICA, et. al.,

Defendants.

CASE NO.: 2:22-cv-00592-RFB-EJY

**STIPULATION TO EXTEND HALGAT'S
DEADLINES TO RESPOND TO THE
USA'S MOTION TO DISMISS
[ECF NO. 34] (SEVENTH REQUEST)
AND LVMPD'S MOTION TO DISMISS
AND JOINDER [ECF NOS. 37 AND 38]
(FIFTH REQUEST)**

NOW COMES the Plaintiff, JEREMY HALGAT (“Plaintiff”), by and through his attorneys, Melanie A. Hill and Melanie Hill Law PLLC, Defendant UNITED STATES OF AMERICA, by and through its attorney, Jacob Bennett, and Defendant LAS VEGAS METROPOLITAN POLICE DEPARTMENT (“LVMPD”), by and through its attorney Robert Freeman, who hereby stipulate that the deadline for Plaintiff to respond to the United States’ Motion to Dismiss [ECF Nos. 34] and the deadline for Plaintiff to respond to Defendant LVMPD Motion to Dismiss and Joinder [ECF Nos. 37 and 38] be extended pursuant to Local Rule IA 6-1.

This is the seventh request for an extension of the deadline to respond to the USA's motion to dismiss and the fifth request for an extension of the deadline to respond to LVMPD's motion to dismiss and joinder.

1 In support of this Stipulation and Request, the parties state as follows:

2 1. The USA filed its Motion to Dismiss on October 7, 2022 [ECF Nos. 34].
 3 2. Defendant LVMPD filed their Motion to Dismiss and Joinder on October 21, 2022
 4 [ECF Nos. 37 and 38].

5 3. The parties last stipulated to extend Plaintiff Halgat's deadline to oppose the
 6 Motions to Dismiss after Halgat filed a Notice of Voluntary Dismissal of Defendants David N.
 7 Karpel, David Arboreen, Agostino Brancato, and Matthew Wear [ECF No. 59] on March 22, 2023
 8 extending Halgat's deadlines to May 22, 2023.

9 4. The parties also previously stipulated to extend the opposition deadlines to allow
 10 counsel for Plaintiff to file a motion to be added to the Protective Order in place in the underlying
 11 criminal case so that Plaintiff could share the criminal discovery with Plaintiff's counsel. The
 12 discovery is necessary to further plead the complaint in this case in response to arguments made in
 13 the currently pending Motions to Dismiss and Joinder filed by the Defendants.

14 5. On January 25, 2023, Plaintiff filed the Motion to Be Added to the Protective Order
 15 in the criminal case [ECF No. 2296 in 2:16-cr-00265-GMN-NJK].

16 6. On January 31, 2023, Magistrate Judge Koppe ordered the United States to file a
 17 response indicating its position on Defendants' motion no later than February 6, 2023 [ECF No. 2297
 18 in 2:16-cr-00265-GMN-NJK].

19 7. On February 2, 2023, the United States filed its response indicating that it did not
 20 oppose the Motion [ECF No. 2298 in 2:16-cr-00265-GMN-NJK].

21 8. On February 2, 2023, Magistrate Judge Koppe granted the Motion to Be Added to
 22 the Protective Order in the criminal case [ECF No. 2299 in 2:16-cr-00265-GMN-NJK].

23 9. Since the granting of the Motion, Plaintiff's counsel attempted to get all of the
 24 underlying criminal discovery in an organized fashion from Defendant Halgat through his prior
 25 counsel and is still in the process of reviewing the voluminous discovery.

26 10. Plaintiff's counsel's review of the voluminous underlying criminal case discovery
 27 in this case was further delayed because Plaintiff's counsel was ill and out of the office for over three
 28

1 and a half weeks. Now that Plaintiff's counsel has recovered, counsel is able to continue reviewing
2 the discovery.

3 11. Plaintiff's counsel and counsel for Defendant LVMPD have agreed to align their
4 briefing schedule with the briefing schedule of the USA and therefore have agreed to a further
5 extension of the deadline to respond to LVMPD's Motion to Dismiss and Joinder until June 22, 2023.

6 12. To allow time for Plaintiff's counsel to review the underlying criminal discovery
7 for purposes of prosecuting this civil case and further responding to the remaining pending Motions
8 to Dismiss and Joinder [ECF Nos. 34, 37, and 38] and/or filing an Amended Complaint considering
9 the delay in Plaintiff's counsel being added to the Protective Order, Plaintiff's counsel getting the
10 criminal discovery after being added to the Protective Order, and Plaintiff's counsel's lengthy illness,
11 the parties have stipulated to extend Plaintiff Halgat's response deadline to the Motions to Dismiss
12 and Joinder [ECF Nos. 34, 37, and 38] to June 22, 2023. The parties have further stipulated to allow
13 Defendants USA and LVMPD until August 4, 2023 to file their respective responses to Plaintiff's
14 filing.

15 13. This Request for an extension of time is not sought for any improper purpose or
16 other purpose of delay. Rather, it is sought by the parties solely to allow sufficient time for Plaintiff's
17 counsel to review the underlying criminal discovery for purposes of prosecuting this civil case and
18 further responding to the pending Motions to Dismiss and Joinder [ECF Nos. 34, 37 and 38] and/or
19 filing an Amended Complaint considering her recent illness, the recent voluntary dismissal of
20 Defendants David N. Karpel, David Arboreen, Agostino Brancato, and Matthew Wear [ECF No. 59],
21 and the voluminous nature of the discovery in Halgat's criminal case wherein he was represented by
22 other counsel.

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1 WHEREFORE, the parties respectfully request that the Court extend the deadlines as stipulated
2 to herein.

4 **DATED this 22nd day of May, 2023.**

5 BRIAN M. BOYNTON
6 Principal Deputy Assistant Attorney General
7 Civil Division

8 C. SALVATORE D'ALESSIO, JR.
9 Director
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12 /s/ Jacob A Bennett
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17 Attorneys for Defendants the United States of
18 America, David Karpel, David Arboreen,
Agostino Brancato, and Matthew Wear

5 **DATED 22nd day of May, 2023.**

6 MELANIE HILL LAW PLLC

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12 **DATED this 22nd day of May, 2023.**

13 LEWIS BRISBOIS BISGAARD & SMITH

14 /s/ Robert Freeman
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Attorneys for Defendant Las Vegas
Metropolitan Police Department

22 **IT IS SO ORDERED.**

23 
24 RICHARD F. BOULWARE, II
25 UNITED STATES DISTRICT JUDGE

26 DATED this 24th day of May, 2023.